

## UNITED STATES CODE

### TITLE 25 - INDIANS

#### CHAPTER 18 - INDIAN HEALTH CARE

#### SUBCHAPTER II - HEALTH SERVICES

##### Sec. 1621. Indian Health Care Improvement Fund (as of 1/5/99)

- (a) Approved expenditures  
The Secretary is authorized to expend funds which are appropriated under the authority of this section, through the Service, for the purposes of -
  - (1) eliminating the deficiencies in health status and resources of all Indian tribes,
  - (2) eliminating backlogs in the provision of health care services to Indians,
  - (3) meeting the health needs of Indians in an efficient and equitable manner, and
  - (4) augmenting the ability of the Service to meet the following health service responsibilities, either through direct or contract care or through contracts entered into pursuant to the Indian Self-Determination Act (25 U.S.C. 450f et seq.), with respect to those Indian tribes with the highest levels of health status and resource deficiencies:
    - (A) clinical care (direct and indirect) including clinical eye and vision care;
    - (B) preventive health, including screening mammography in accordance with section [1621k](#) of this title;
    - (C) dental care (direct and indirect);
    - (D) mental health, including community mental health services, inpatient mental health services, dormitory mental health services, therapeutic and residential treatment centers, and training of traditional Indian practitioners;
    - (E) emergency medical services;
    - (F) treatment and control of, and rehabilitative care related to, alcoholism and drug abuse (including fetal alcohol syndrome) among Indians;
    - (G) accident prevention programs;
    - (H) home health care;
    - (I) community health representatives; and
    - (J) maintenance and repair.
- (b) Effect on other appropriations; allocation to service units

- (1) Any funds appropriated under the authority of this section shall not be used to offset or limit any appropriations made to the Service under section [13](#) of this title, or any other provision of law.
- (2)
  - (A) Funds appropriated under the authority of this section may be allocated on a service unit basis. The funds allocated to each service unit under this subparagraph shall be used by the service unit to reduce the health status and resource deficiency of each tribe served by such service unit.
  - (B) The apportionment of funds allocated to a service unit under subparagraph (A) among the health service responsibilities described in subsection (a)(4) of this section shall be determined by the Service in consultation with, and with the active participation of, the affected Indian tribes.
- (c) Health resources deficiency levels  
For purposes of this section -
  - (1) The term "health status and resource deficiency" means the extent to which -
    - (A) the health status objectives set forth in section [1602](#)(b) of this title are not being achieved; and
    - (B) the Indian tribe does not have available to it the health resources it needs, taking into account the actual cost of providing health care services given local geographic, climatic, rural, or other circumstances.
  - (2) The health resources available to an Indian tribe include health resources provided by the Service as well as health resources used by the Indian tribe, including services and financing systems provided by any Federal programs, private insurance, and programs of State or local governments.
  - (3) The Secretary shall establish procedures which allow any Indian tribe to petition the Secretary for a review of any determination of the extent of the health status and resource deficiency of such tribe.
- (d) Programs administered by Indian tribe
  - (1) Programs administered by any Indian tribe or tribal organization under the authority of the Indian Self-Determination Act (25 U.S.C. 450f et seq.) shall be eligible for funds appropriated under the authority of this section on an equal basis with programs that are administered directly by the Service.
  - (2) If any funds allocated to a tribe or service unit under the authority of this section are used for a contract entered into under the Indian Self-Determination Act, a reasonable portion of such funds may be used for health planning, training, technical assistance, and other administrative support functions.